

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

UNITED STATES ex rel.)
PHILLIP S. SHAENGOLD,)
)
Plaintiffs,)
)
v.) Case No. CV411-058
)
MEMORIAL HEALTH, INC.;)
MEMORIAL HEALTH UNIVERSITY)
MEDICAL CENTER; PROVIDENT)
HEALTH SERVICES, INC.; and)
MPPG d/b/a MEMORIAL HEALTH)
UNIVERSITY PHYSICIANS,)
)
Defendants.)

O R D E R

In their Fed. R. Civ. P. 26(f) report, all parties in this complex litigation request a stay of discovery pending the Court's disposition of defendants' Motion to Dismiss Relator's First Amended Complaint (doc. 75) and their Partial Motion to Dismiss the Government's Complaint in Intervention (doc. 73). (Doc. 105 at 5-6.) The parties represent that discovery would be premature, and a stay is warranted under *Chudasama v. Mazda Motor Corporation*, 123 F.3d 1353, 1367 (11th Cir. 1997), because the Court's ruling on those dispositive motions may limit

the scope of the litigation and, consequently, curtail the need for discovery. (Doc. 105 at 5-6.)

While this case was filed several years ago, it has been in a state of suspended animation -- sealed and inactive -- while waiting for the government's decision to intervene. The case stirred to life only this past August, but given their motions to dismiss, defendants have yet to file an answer. Two days after the receipt of the parties' Rule 26(f) report, the Court entered an order addressing defendants' motion to dismiss the government's complaint in intervention (doc. 73). (Doc. 106.) A ruling on the remaining dismissal motion is expected in the near future.

Accordingly, the parties' request to stay discovery is **GRANTED**. The parties state that they will submit a supplemental Rule 26(f) report within seven days of the Court's ruling and that report will include specific dates for a proposed schedule. (Doc. 105 at 6.) They are **DIRECTED** to supplement their report with a proposed scheduling order for the Court's consideration.

SO ORDERED this 10th day of December, 2014.



UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA